United Nations A/69/693/Add.1

General Assembly

Distr.: General
30 March 2015

Original: English

Sixty-ninth session
Agenda item 147

Financing of the International Residual Mechanism for Criminal Tribunals

Report of the Fifth Committee

Rapporteur: Mr. Matthias **Dettling** (Switzerland)

I. Introduction

1. The previous recommendation made by the Fifth Committee to the General Assembly under agenda item 147 is set out in the report of the Committee contained in document A/69/693.

2. The Fifth Committee resumed its consideration of the item at its 29th and 34th meetings, on 4 and 27 March 2015. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/69/SR.29 and 34).

3. For its further consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha branch (A/69/734);

(b) Related report of the Advisory Committee on Administrative and Budgetary Questions (A/69/788).

II. Consideration of draft resolution A/C.5/69/L.32

4. At its 34th meeting, on 27 March, the Committee had before it a draft resolution entitled "Construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha branch" (A/C.5/69/L.32), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representative of Haiti.

5. At the same meeting, the Committee adopted draft resolution A/C.5/69/L.32 without a vote (see para. 6).

15-05059 (E) 310315

Please recycle

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha branch

The General Assembly,

Recalling its resolutions 66/240 B of 21 June 2012, 67/244 A of 24 December 2012, 67/244 B of 12 April 2013, 68/257 of 27 December 2013 and 68/267 of 9 April 2014,

Having considered the report of the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Reiterates* its appreciation for the continued support of the Government of the United Republic of Tanzania in facilitating the construction of the new facility;

2. *Takes note* of the report of the Secretary-General;[1]

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

4. *Welcomes* the continued efforts made by the Mechanism to seek cooperation with other judicial institutions;

5. *Encourages* the Secretary-General to continue his efforts to include local knowledge and capacity in the implementation of the project;

6. *Notes* that office accommodation will be adjustable for various staffing requirements, including through the use of shared areas within the facility without increasing its overall size, and in this regard requests the Secretary-General to continue to provide information on this matter in the context of future progress reports;

7. *Encourages* the Secretary-General to ensure that lessons learned and best practices are shared and applied to ongoing and future capital projects, as appropriate;

8. *Requests* the Secretary-General to continue to take all measures necessary to mitigate potential risks and to ensure that the construction project is monitored closely and is completed within the approved timeline and resources;

9. *Emphasizes* that contingency provisions approved for construction projects serve to provide necessary safeguards against unforeseen cost overruns during project implementation, and in this regard requests the Secretary-General to ensure that in the future any cost overruns are first met from compensatory

[1] A/69/734.

[2] A/69/788.

reductions identified elsewhere through efficiencies in order to obviate to the extent possible the need for drawdown from contingency provisions;

10. *Notes with concern* the higher-than-budgeted amount awarded for the architectural and engineering consultancy services as well as the construction contracts, and in this regard requests the Secretary-General to make every effort to seek efficiencies throughout the implementation of the project and to report thereon in the context of future progress reports;

11. *Recalls* paragraphs 31 and 32 of the report of the Advisory Committee on Administrative and Budgetary Questions, and in this regard encourages the Secretary-General to continue to explore the possibilities for utilizing usable furniture and equipment from the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 in the Mechanism, where possible and economical, and to report thereon in the context of future progress reports;

12. *Requests* the Secretary-General to continue to update Member States regularly, through the Office of Central Support Services of the Department of Management of the Secretariat, on the progress of the construction project;

13. *Also requests* the Secretary-General to submit to the General Assembly, at the first part of its resumed seventieth session, a progress report on the implementation of the project, outlining, inter alia, the project expenditures and total costs.